

AUG 17 2006

REMARKS

The Specification has been amended to add the serial number of a related application.

The Examiner rejected claims 3, 7, 9, 13, 14, 20, 24, 26 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3, 7, 9, 14, 20, 24, and 26 have been amended to remove the "at least" language. Claim 13 has been canceled without prejudice or disclaimer.

The Examiner rejected claims 1, 4, 11, 18, 21 and 28 under 35 U.S.C. 102 as being anticipated by Giraud et al. (U.S. Patent Publication No. 2003/0093557A1). The Examiner rejected claims 1, 2, 4, 11, 12, 18, 19, 21, 28 under 35 U.S.C. 102 as being anticipated by Shinomiya et al. (U.S. Patent Publication No. 2003/0037165A1). Claim 1 has been amended to include the element "configuring a third supervisor as first pseudo-standby supervisor kept in a warm state." Neither Giraud nor Shinomiya teach or suggest either a third supervisor or a pseudo-standby supervisor. Furthermore, neither Giraud nor Shinomiya teach or suggest keeping a supervisor in a warm state.

Giraud teaches a router device with two processor boards, each processor running a single daemon process - one active and one standby. There is no discussion of a third daemon. Additionally, the daemons are described solely as active and standby. There is no discussion of a pseudo-standby daemon, or a warm state.

Shinomiya teaches a virtual router consisting of a master router running an active routing process and a backup router running a standby routing process. Once again, there is no discussion of a third process, a pseudo-standby process, or a warm state.

As such, Applicant respectfully submits that claim 1 is in condition for allowance. As to independent claims 11, 18, and 28, these claims contain elements similar to that as described above with respect to claim 1. As such, Applicant respectfully submits that these claims are in condition for allowance for the same reasons as claim 1.

As to dependent claims 4 and 21, these claims are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For at least these reasons, Applicant respectfully submits that claims 4 and 21 are in condition for allowance.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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